

Cecil Land Use Alliance
General Meeting
February 24, 2011
Elkton Public Library

Meeting called to order at 7:08 pm by president Jill Burke.
36 attendees, including 11 CLUA members.

Announcements:

Jill introduced the CLUA Board and Officers.

Reminded the group of upcoming meetings:

- Comprehensive Rezoning package hearings during March before the County Commissioners (March 2, March 9, March 16)
- Rising Sun Comprehensive Plan Mar. 3 at Town Hall
- Sustainable Maryland - Maryland Dept of Planning input for Mar 1

Noted the thanks received for CLUA's support of action to stop drip irrigation using wastewater output.

Turned the meeting over to Julia Belknap, moderator for the discussion on Comprehensive Rezoning.

Panel Discussion:

Julia introduced Tony DiGiacomo , Principal Planner for the Office of Planning and Zoning, and Ken Wiggins, member of the Cecil County Planning Commission. Remaining members of the panel, County Commission President Jim Mullin and County Commission Vice President Diana Broomell would be arriving later.

Tony provided an overview of the components of the Zoning Maps and Ordinance that will implement the intent of the Comprehensive Plan of the County. The discussion was illustrated by the Comprehensive Plan Map as adopted in 2010 and the current and proposed Zoning Maps, all on large scale maps. Tony also provided density charts of current and proposed zoning districts which emphasized the use of "transfer of development rights" as a tool for guiding growth to the growth corridor while preserving farm, forest, and Chesapeake Bay Critical Areas.

Key points also included that the green areas in the north and south county are staying green from a planning perspective. The growth corridor has the most change supporting the intent of more intense development there.

Tony explained the relationship of the key documents of the planning process. The Comprehensive Plan is the broad brush view of the intent of the Citizens Oversight Committee as interpreted by the ERM consulting group and refined by the Office of Planning and Zoning, the Planning Commission, citizen input, and County Commission vote. The proposed Zoning Ordinance translates the documents of the Comprehensive Plan into Zoning Districts defined and applied to the map of Cecil County. The third and most specific part of the package is the

Subdivision Regulations which define how a developer moves through the development approval process.

Tony noted three areas that will be getting attention in the coming months. One is the definition of Priority Preservation Areas that will support preservation activity and potentially development rights transfers. A second is the revised and strengthened Transfer of Development Rights process defined in the new Zoning Ordinance. The third is the newly defined Mixed Use Residential and Mixed Use Employment Zoning Districts (EMU and RMU). These last offer opportunities to maximize use of parcels while creating desirable and attractive urban spaces supported by flexible approaches incorporating public transit and creatively positioned open space. These are used only along U.S. 40 in the new zoning. Charlestown Crossing is the one example of mixed use planning currently in Cecil County.

Ken Wiggins reviewed the decision-making process and the concerns he sees as a member of the Planning Commission who also served on the Citizens Advisory Committee for the Comprehensive Plan. Beginning with a military analogy, Ken described the Comprehensive Plan as the Strategic Plan, the Zoning Ordinance as the Operational Plan, and the Subdivision Regulations as the Tactical Plan. In deciding on requests for changes that have just occurred in the Comprehensive Rezoning, Ken noted that he went through a series of questions:

- Does the request conform to the Comprehensive Plan?
- Does the P&Z staff recommend the change?
- What is the community input?
- Does this change follow a prior precedent?
- Does this change create a new precedent?

Ken noted that the last two can be most problematic. Should a change follow a prior precedent even if it seems the precedent might not be good for the County at this time? And if a particular request seems appropriate for a particular parcel, will it become a new precedent that might have a negative impact if applied in other places in the County?

Diana Broomell noted that in the Citizens Oversight Committee there was considerable disagreement with the provided growth projections that would add 50,000 residents to the county by 2030. She is eager to see the Priority Preservation Areas defined. She is pleased with the extended agriculture-related uses that are allowed in the NAR and SAR areas. Provision for value-added farming ventures allows land to stay in agricultural use while providing income to the owner.

Jim Mullin sketched the work done by Eric Sennstrom, Tony DiGiacomo, and himself to apply the principles of the most successful TDR programs to the Cecil County program. As a result of research and consultation with farmers and developers, there is now a TDR process that provides extra incentives to the owners of farms, forests, or critical area to preserve their land in perpetuity by selling development rights. The seller also can realize property tax reduction

and can manage payouts to minimize taxes. Transferred rights can be use for increased density only in the growth areas that are served by public water and sewer.

Since a banking function is needed to get the process going, Jim is pleased that some Hollywood Casino money will be used by the county to fund the initial purchase of development rights. The department of Planning and Zoning will be key in suggesting the use of development rights when it can be beneficial to a growth corridor development.

Questions interspersed in the evening addressed these topics:

What is the current situation since we are between an approved new Comprehensive Plan and adoption of the Rezoning Package?

It's a bit mixed, but current zoning remains in force until the adoption of the new package.
(Tony DiGiacomo)

What made it possible to complete this rezoning in less than a year compared with two and a half years in the last comp plan?

Work was done in house where a consultant was used for 1990. Technology also assisted.
(Tony DiGiacomo)

What is being done to increase the business/commercial base as opposed to the higher service cost residential base?

Noted that a late update on residents leaving county for work compared to those coming from outside the county to work here has now come up near even. An improvement from past. (Jim Mullin)

The meeting ended at 8:50 pm.

Nancy Valentine
Secretary